

# Union Calendar No. 446

108TH CONGRESS  
2D SESSION

# H. R. 3858

[Report No. 108-726]

To amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2004

Mr. NETHERCUTT (for himself, Ms. DEGETTE, Mr. BASS, Mr. SCHIFF, Mr. FROST, Ms. BORDALLO, Mr. VAN HOLLEN, Mr. KLINE, Mr. GREEN of Texas, Mr. ANDREWS, Mr. WICKER, Mr. LANTOS, Mr. BECERRA, Mr. MOORE, Ms. DELAURO, Mr. MCHUGH, Mr. WELDON of Pennsylvania, and Mr. FOSSELLA) introduced the following bill; which was referred to the Committee on Energy and Commerce

OCTOBER 5, 2004

Additional sponsors: Mr. DOGGETT, Ms. JACKSON-LEE of Texas, Mr. RUPPERSBERGER, Mr. COSTELLO, Mr. ABERCROMBIE, Mr. TURNER of Texas, Mr. WAXMAN, Mr. McDERMOTT, Mr. KILDEE, Mr. HINOJOSA, Mr. PALLONE, Mr. MEEHAN, Mr. MARKEY, Mr. QUINN, Mr. LAMPSON, Mrs. JO ANN DAVIS of Virginia, Mr. WOLF, Mr. WALSH, Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, Mr. ACKERMAN, Mr. ROSS, Mr. HINCHEY, Mr. FOLEY, Mr. JENKINS, Mr. LEACH, Mr. HOLT, Mr. PASCRELL, Mrs. NAPOLITANO, Mr. MORAN of Virginia, Mr. VITTER, Ms. BERKLEY, Mr. CLAY, Mr. HILL, Mr. EMANUEL, Mr. CHABOT, Mr. HOEFFEL, Mr. BACHUS, Mr. TIBERI, Mr. KENNEDY of Rhode Island, Mr. PAUL, Mr. MURPHY, Mr. GOSS, Mr. GARRETT of New Jersey, Mr. MCGOVERN, Mr. SOUDER, Mr. GIBBONS, Mr. CASTLE, Mr. FRANK of Massachusetts, Ms. SLAUGHTER, Mr. PASTOR, Mr. SNYDER, Mr. LUCAS of Kentucky, Mr. RAMSTAD, Mr. SCOTT of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. SABO, Mr. WELLER, Ms. SOLIS, Mr. GOODE, Mr. KIRK, Mr. TERRY, Mr. BOYD, Mr. KUCINICH, Mrs. BLACKBURN, Mr. TANCREDO, Mr. BACA, Mr. WEXLER, Mr. GORDON, Mr. SPRATT, Mr. COLE, Mr. HOEKSTRA, Mr. McNULTY, Mr. SHUSTER, Mr. CULBERSON, Mr. FARR, Ms. MAJETTE, Mr. LARSEN of Washington, Mr.

NEUGEBAUER, Mr. SMITH of New Jersey, Mr. LINCOLN DIAZ-BALART of Florida, Mr. FORD, Mr. LAHOOD, Mr. BELL, Mr. OSBORNE, Ms. NORTON, Mr. BOSWELL, Mr. GUTKNECHT, Mr. ENGLISH, Ms. CARSON of Indiana, Mr. CHOCOLA, Mr. MURTHA, Mr. SAXTON, Mr. SCHROCK, Mr. PORTER, Mr. BAKER, Mrs. WILSON of New Mexico, Mr. BRADLEY of New Hampshire, Mr. WELDON of Florida, Mr. STENHOLM, Mr. DICKS, Mr. PORTMAN, Mr. STARK, Mr. SMITH of Washington, Mr. MENENDEZ, Mr. HASTINGS of Washington, Mr. BAIRD, Mr. HULSHOF, Mr. LATOURETTE, Mr. COLLINS, Mr. CARSON of Oklahoma, Mrs. DAVIS of California, Mr. PETERSON of Minnesota, Mrs. BIGGERT, Mr. BURGESS, Mrs. MCCARTHY of New York, Ms. GRANGER, Mr. SESSIONS, Mr. GRIJALVA, Mr. WYNN, Mr. DOOLEY of California, Mr. MILLER of North Carolina, Ms. BALDWIN, Mr. ENGEL, Mr. CARDIN, Mr. FEENEY, Mr. INSLEE, Mr. HOSTETTLER, Mr. MILLER of Florida, Mrs. MALONEY, Ms. ESHOO, Mr. CUMMINGS, Mr. CLYBURN, Mr. KLECKA, Mr. OLVER, Mr. COOPER, Mr. GREEN of Wisconsin, Mr. AKIN, Mr. BEAUPREZ, Ms. HOOLEY of Oregon, Mr. MCCOTTER, Mr. BOEHNER, Mr. EHLERS, Mr. REYNOLDS, Mr. DELAHUNT, Mr. LEWIS of Georgia, Mr. BARTLETT of Maryland, Mr. FORBES, Mr. ALLEN, Mr. BERMAN, Mr. STUPAK, Mr. SHERMAN, Mr. HYDE, Mr. CHANDLER, Mr. VISCLOSKEY, Mr. COX, and Mr. PICKERING

OCTOBER 5, 2004

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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## A BILL

To amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pancreatic Islet Cell  
5 Transplantation Act of 2004”.

1 **SEC. 2. ORGAN PROCUREMENT ORGANIZATION CERTIFI-**  
2 **CATION.**

3 Section 371 of the Public Health Service Act (42  
4 U.S.C. 273) is amended by adding at the end the fol-  
5 lowing:

6 “(c) Pancreata procured by an organ procurement or-  
7 ganization and used for islet cell transplantation or re-  
8 search shall be counted for purposes of certification or re-  
9 certification under subsection (b).”.

10 **SEC. 3. ANNUAL ASSESSMENT ON PANCREATIC ISLET CELL**  
11 **TRANSPLANTATION.**

12 Section 429 of the Public Health Service Act (42  
13 U.S.C. 285c–3) is amended by adding at the end the fol-  
14 lowing:

15 “(d) In each annual report prepared by the Diabetes  
16 Mellitus Interagency Coordinating Committee pursuant to  
17 subsection (c), the Committee shall include an assessment  
18 of the Federal activities and programs related to pan-  
19 creatic islet cell transplantation. Such assessment shall,  
20 at a minimum, address the following:

21 “(1) The adequacy of Federal funding for tak-  
22 ing advantage of scientific opportunities relating to  
23 pancreatic islet cell transplantation.

24 “(2) Current policies and regulations affecting  
25 the supply of pancreata for islet cell transplantation.

1           “(3) The effect of xenotransplantation on ad-  
2           vancing pancreatic islet cell transplantation.

3           “(4) The effect of United Network for Organ  
4           Sharing policies regarding pancreas retrieval and  
5           islet cell transplantation.

6           “(5) The existing mechanisms to collect and co-  
7           ordinate outcomes data from existing islet cell trans-  
8           plantation trials.

9           “(6) Implementation of multiagency clinical in-  
10          vestigations of pancreatic islet cell transplantation.

11          “(7) Recommendations for such legislation and  
12          administrative actions as the Committee considers  
13          appropriate to increase the supply of pancreata  
14          available for islet cell transplantation.”.



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